

REMARKS

In view of the foregoing amendments and following remarks, reconsideration and allowance of this application is respectfully requested.

Claims 1-3 and 5-14 are pending in this application. Claims 1-14 were originally filed and stand rejected. Claims 1, 5, 6, 8 and 12 have been amended. Claim 4 has been canceled without prejudice. No new matter has been introduced.

Independent claims 1 and 8 and dependent claims 4-5 and 11-12 stand rejected under 35 U.S.C. §103(a) as being obvious over drawing Fig. 2 and the discussion set forth in the Background of the Invention section of the present patent application in view of U.S. Patent No. 5,901,754 (Elsässer). Applicants respectfully traverse the foregoing claim rejections for the reasons set forth hereinafter.

As set forth in detail in the present application, Applicants' invention is generally directed to a muffler for use in an air-consuming system comprising a compressed-air generating device including an air compressor, an electric motor for powering the air compressor and an air dryer, a pressure port for pressurizing and venting the air consuming system, an air inlet for drawing air from the atmosphere and an air outlet for discharging air to the atmosphere. An air line connects the air filter to the atmosphere. The muffler includes an air-permeable, sound absorbing, meshed fabric of thermoplastic threads and is formed as the air line. The muffler provides for reduced noise emission of the combined intake section of the air compressor and the air dryer.

Applicants have amended independent claims 1 and 8 to more particularly point out and distinctly claim the foregoing. More particularly, claim 1 has been amended to further recite that the air-consuming system comprises a muffler formed as a third air line, whereby the

third air line is an elastic hose connection that includes an air-permeable, sound absorbing insulating material. Claim 8 has been amended to further recite that the air-consuming system has a multi-functional muffling unit, whereby the unit includes an air filter and a muffler including an air-permeable, sound absorbing insulating material to damp sound emissions. No new matter has been introduced.

Fig. 2 and the Background of the Invention section of the present patent application describe conventional muffler constructions. Applicants note that the purpose of describing the foregoing in the application was to highlight the deficiencies of such conventional constructions and the motivation for the solution offered by the present invention as claimed. Fig. 2 and the Background of the Invention section do not provide all the elements of the claimed invention (as claimed in independent claims 1 and 8), nor do they teach or suggest them. Elsässer cited by the Examiner does not cure the deficiencies of the conventional muffler constructions discussed in the application.

Elsässer describes embodiments of a flexible fluid conduit having metal bellows and an internal hose located therein made of woven metal wire. The hose is engaged against the internal corrugations of the bellows and/or a connecting pipe between adjacent bellows by axially compressing the hose to result in permanent deformation of the woven metal wires to a diameter larger than the inner diameter of the bellows. The hose is used to guide exhaust gases and dampen vibrations and oscillations, which may become resonant with the corrugations of the bellows, and thereby decrease noise level during gas flow. Elsässer does not teach or suggest that the air-consuming system comprises a muffler formed as a third air line, whereby the third air line is an elastic hose connection that includes an air-permeable, sound absorbing insulating material nor that the air-consuming system has a multi-functional muffling unit, whereby the unit

includes an air filter and a muffler including an air-permeable, sound absorbing insulating material to damp sound emissions as claimed in independent claims 1 and 8, respectively. Indeed, Elsässer appears to teach away from the present claimed invention as the hose element contemplated by Elsässer is made of metallic wires, and preferably woven metal wires. *See* Elsässer at 1:13-16.

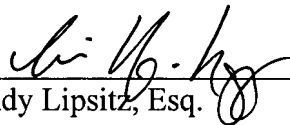
In view of all the foregoing, it is submitted that one of ordinary skill in the art who reads and understands Fig. 2, the Background of the Invention section of the present patent application and Elsässer would not be motivated, let alone equipped, to arrive at the present invention as claimed in independent claims 1 and 8. Accordingly, it is submitted that claims 1 and 8 are patentable over the prior art and the cited reference, whether taken alone or combined, and notice to this effect is earnestly solicited.

It is further submitted that dependent claims 2-3, 5-7 and 9-14 are allowable by reason of their various dependencies from independent claims 1 and 8 as well as the additional features recited therein. Notice to this effect is also earnestly requested.

On the basis of the foregoing amendments and remarks, Applicants respectfully submit that this application is in condition for immediate allowance, and notice to this effect is respectfully requested. The Examiner is invited to contact Applicants' undersigned attorneys at the telephone number set forth below if it will advance the prosecution of this case.

No fee is believed due with this Response other than the \$450.00 fee associated with the Petition for a Two-Month Extension of Time submitted herewith. Please charge any fee deficiency and credit any overpayment to Deposit Account No. 50-0540.

Respectfully submitted,



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